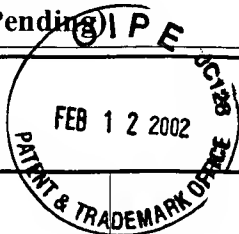


TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
01-050

In Re Application Of: WALKER et al.



Serial No.
09/994,810

Filing Date
November 27, 2001

Examiner
Not Yet Assigned

Group Art Unit
2161

Title: **METHOD AND APPARATUS FOR UTILIZING DEMAND INFORMATION AT A VENDING MACHINE**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Supplemental Information Disclosure Statement (5 pp.);
PTO Form-1449 (13 pp.) and references cited therein (132); and
Return Receipt Postcard.

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in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 50-0271 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Signature

Dated: January 28, 2002

Dean P. Alderucci
Attorney for Applicants
PTO Registration No. 40,484
(203) 461-7337/phone
(203) 461-7300/fax

Customer No. 22927

alderucci@walkerdigital.com

I certify that this document and fee is being deposited on January 28, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Michael D. Brinton

Typed or Printed Name of Person Mailing Correspondence



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WALKER et al.

Serial No.: 09/994,810

Filing Date: November 27, 2001

For: METHOD AND APPARATUS FOR
UTILIZING DEMAND INFORMATION
AT A VENDING MACHINE

) Examiner: Not Yet Assigned

) Group Art Unit: 2161

) Attorney Docket No: 01-050

) Customer No.: 22927



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as priority mail in an envelope with sufficient postage and addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 28, 2002.

Dated: 01/28/02 By:

Michael D. Brinton
Michael D. Brinton

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent

to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

[X] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
- ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify:

- ☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- ☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

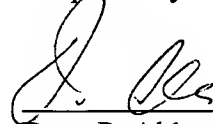
10. ☐ Please accept payment of the fees due as indicated below:

- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

- ☐ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose
- ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.
11. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.
12. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

January 28, 2002
Date

Respectfully submitted,



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(203) 461-7300 /fax

**INFORMATION DISCLOSURE CITATION**

Docket Number

01-050

Serial Number

09/994,810

Applicants ✓

WALKER et al.

Filing Date

November 27, 2001

Group Art Unit

2161

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	A	3,573,747	04/6/71	Adams et al.	340	172.5	
	B	4,108,361	08/22/78	Krause	235	375	
	C	4,237,537	12/2/80	Pitches et al.	364	465	
	D	4,245,730	01/20/81	Bachmann et al.	194	1 A	
	E	4,282,575	08/4/81	Hoskinson et al.	364	479	
	F	4,323,770	04/6/82	Dieulot et al.	235	375	
	G	4,494,197	01/15/85	Troy et al.	364	412	
	H	4,500,880	02/19/85	Gomersall et al.	340	825.35	
	I	4,593,361	06/3/86	Otten	364	479	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	J	EP 512413	11/11/92	Europe (Abstract)				
	K	JP 5242363 A	09/21/93	Japan (Abstract)				

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	L	Brochure, "Introducing the Digital MenuBoard", Siren Technologies, Inc., (www.sirentech.com).

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	M	4,669,730	06/2/87	Small	273	138 A	
	N	4,677,553	06/30/87	Roberts et al.	364	412	
	O	4,689,742	08/25/87	Troy et al.	364	412	
	P	4,723,212	02/2/88	Mindrum et al.	364	401	
	Q	4,760,247	07/26/88	Keane et al.	235	454	
	R	4,766,548	08/23/88	Cedrone et al.	364	479	
	S	4,815,741	03/28/89	Small	273	138 A	
	T	4,825,045	04/25/89	Humble	235	383	
	U	4,834,231	05/30/89	Awane et al.	194	217	

FOREIGN PATENT DOCUMENTS

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							Yes	No
	V	JP 8-147545	06/7/96	Japan			X	
	W	WO 97/24701	07/10/97	Japan				X

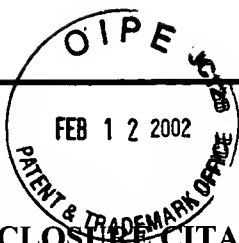
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	X	Rehayem, Gilbert, "Opinion: X-Press Betting", Information Systems & Technology, Ontario Lottery Corp.

EXAMINER

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRI- ATE
	Y	4,839,507	06/13/89	May	235	381	
	Z	4,854,590	08/8/89	Jolliff et al.	273	138 A	
	AA	4,859,838	08/22/89	Okiharu	235	383	
	BB	4,882,473	11/21/89	Bergeron et al.	235	380	
	CC	4,908,761	03/13/90	Tai	364	401	
	DD	4,910,672	03/20/90	Off et al.	364	405	
	EE	4,922,522	05/1/90	Scanlon	379	95	
	FF	4,937,853	06/26/90	Brule et al.	379	96	
	GG	4,973,952	11/27/90	Malec et al.	340	825.350	

FOREIGN PATENT DOCUMENTS

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							Yes	No

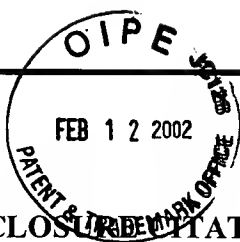
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	HH	"Cape Town", Reuters Ltd, November 8, 1979, PM Cycle.

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	II	4,982,337	01/1/91	Burr et al.	364	479	
	JJ	4,993,714	02/19/91	Golightly	273	138 A	
	KK	5,056,019	10/8/91	Schultz et al.	364	405	
	LL	5,091,713	02/25/92	Horne et al.	340	541	
	MM	5,119,295	06/2/92	Kapur	364	412	
	NN	5,128,862	07/7/92	Mueller	364	405	
	OO	5,132,914	07/21/92	Cahlander et al.	364	478	
	PP	5,172,328	12/15/92	Cahlander et al.	364	478	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							Yes	No

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	QQ	"Save the mark", Financial Times (London), February 1, 1983, Section I, Men & Matters at Pg. 12.

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	RR	5,173,851	12/22/92	Off et al.	364	401	
	SS	5,177,342	01/5/93	Adams	235	379	
	TT	5,192,854	03/9/93	Counts	235	375	
	UU	5,201,010	04/6/93	Deaton et al.	382	7	
	VV	5,216,595	06/1/93	Protheroe	364	412	
	WW	5,223,698	06/29/93	Kapur	235	375	
	XX	5,231,569	07/27/93	Myatt et al.	364	408	
	YY	5,239,165	08/24/93	Novak	235	375	
	ZZ	5,243,515	09/7/93	Lee	364	401	

FOREIGN PATENT DOCUMENTS

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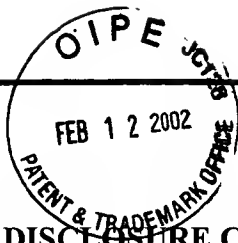
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	AAA	Cook, Louise, "ConsumerWatch: Clip, Snip, Save", The Associated Press, March 12, 1984, Business News Section.

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	BBB	5,245,533	09/14/93	Marshall	364	401	
	CCC	5,257,179	10/26/93	DeMar	364	410	
	DDD	5,262,941	11/16/93	Saladin et al.	364	408	
	EEE	5,267,452	12/7/93	Zinsmeyer et al.	62	505	
	FFF	5,274,547	12/28/93	Zoffel et al.	364	408	
	GGG	5,283,731	02/1/94	Lalonde et al.	364	401	
	HHH	5,287,268	02/15/94	McCarthy	364	405	
	III	5,297,031	03/22/94	Guttermann et al.	364	408	
	JJJ	5,302,811	04/12/94	Fukatsu	235	381	
	KKK	5,309,355	05/3/94	Lockwood	364	401	

FOREIGN PATENT DOCUMENTS

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							Yes	No

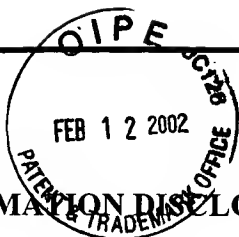
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	LLL	"POS spectrum: a lottery looks to POS for growth", UMI, Inc., POS News, January 1989, Vol. 5, No. 7, Pg. 8, ISSN: 0896-6230, CODEN: BHORAD.

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	MMM	5,339,250	08/16/94	Durbin	364	479	
	NNN	5,353,218	10/4/94	De Lapa et al.	364	401	
	OOO	5,367,452	11/22/94	Gallery et al.	364	401	
	PPP	5,380,991	01/10/95	Valencia et al.	235	383	
	QQQ	Re. 34,915	04/25/95	Nichtberger et al.	364	401	
	RRR	5,420,606	05/30/95	Begum et al.	345	156	
	SSS	5,452,344	09/19/95	Larson	379	107	
	TTT	5,459,306	10/17/95	Stein et al.	235	383	
	UUU	5,481,094	01/2/96	Suda	235	383	
	VVV	5,504,475	04/2/96	Houdou et al.	340	825.35	
	WWW	5,510,979	04/23/96	Moderi et al.	364	405	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							Yes	No

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	XXX	Kuttner, Robert, "Computers May Turn The World Into One Big Commodities Pit", Business Week, September 11, 1989, Section: Economic Viewpoint, No. 3123 at Pg. 17.

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	YYY	5,572,653	11/5/96	DeTemple et al.	395	501	
	ZZZ	5,581,064	12/3/96	Riley et al.	235	383	
	AAAA	5,592,375	01/7/97	Salmon et al.	395	207	
	BBBB	5,592,376	01/7/97	Hodroff	395	214	
	CCCC	5,602,377	02/11/97	Beller et al.	235	462	
	DDDD	5,611,052	03/11/97	Dykstra et al.	395	238	
	EEEE	5,612,868	03/18/97	Off et al.	364	214	
	FFFF	5,615,269	03/25/97	Micali	380	49	
	GGGG	5,620,079	04/15/97	Molbak	194	217	
	HHHH	5,621,201	04/15/97	Langhans et al.	235	380	

FOREIGN PATENT DOCUMENTS

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							Yes	No

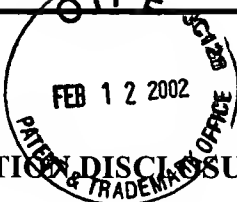
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	III	Schrage, Michael, "An Experiment In Economic Theory; Labs Testing Real Markets", The Record, November 26, 1989, Section: Business at Pg. B01.

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				WALKER et al.			
				Filing Date		Group Art Unit	
				November 27, 2001		2161	

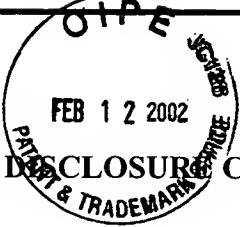
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	JJJJ	5,621,640	04/15/97	Burke	395	214	
	KKKK	5,632,010	05/20/97	Briechle et al.	345	1	
	LLLL	5,701,252	12/23/97	Facchin et al.	364	479	
	MMMM	5,734,150	03/31/98	Brown et al.	235	381	
	NNNN	5,822,736	10/13/98	Hartman et al.	705	1	
	OOOO	5,873,069	02/16/99	Reuhl et al.	705	20	
	PPPP	5,997,928	12/7/99	Kaish et al.	426	418	
	QQQQ	6,012,834	01/11/00	Dueck et al.	364	479.08	
	RRRR	6,021,394	02/1/00	Takahashi	705	10	


FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							Yes	No

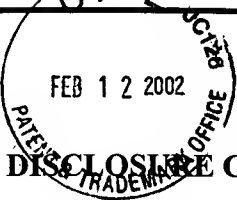
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)		
	SSSS	"Let's Play the Cash Register Receipts Lottery", The New York Times, December 25, 1990, Section 1, Pg. 30, Column 4, Editorial Desk.

EXAMINER	DATE CONSIDERED:
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<div style="text-align: center;">  <p>INFORMATION DISCLOSURE CITATION</p> </div>		Docket Number	Serial Number
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